

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JAMIE HARDESTY,)	
)	
Plaintiff,)	
)	No. 3:12-CV-60
)	(VARLAN/GUYTON)
V.)	
)	
LITTON'S MARKET AND RESTAURANT, INC.,)	
And BARRY N. LITTON,)	
)	
Defendants.)	

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the discovery dispute procedure outlined in the Scheduling Order. On November 8, 2012, the parties appeared before the undersigned for a telephone conference regarding their discovery disputes. Attorney Andrew Frisch was present representing the Plaintiff, and Attorney Joseph Ballard was present representing the Defendants.

The Court heard the parties' positions and considered the parties' written submissions. At the hearing, the parties identified the points of contention on which they could reach agreements. Based on the foregoing, the Court finds as follows:

1. Interrogatories 8 & 10: The Defendants agreed to provide the information requested. The Defendants **SHALL PROVIDE** the information on or before **November 19, 2012**;
2. Interrogatory 13: The Defendants **SHALL IDENTIFY** what facts, if any, they plan to use to support a "good faith" defense on or before **November 19, 2012**;

3. Interrogatory 14: The Plaintiff has restated this interrogatory as follows: “Did Barry Litton receive any money from the tip pool? If so, provide the amount.” The Defendants **SHALL ANSWER** this question on or before **November 19, 2012**; and
 4. Interrogatory 15: The Plaintiff has restated this interrogatory as follows: “What portion of the compensation paid to hosts or hostesses came from moneys collected in the tip pool?” The Defendants **SHALL ANSWER** this question on or before **November 19, 2012**.
- IT IS SO ORDERED.**

ENTER:

/s H. Bruce Guyton
United States Magistrate Judge